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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,898	02/02/2000	Rod Stambaugh	032397-009	5435

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EXAMINER

SHERR, CRISTINA O

ART UNIT PAPER NUMBER

3621

DATE MAILED: 02/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/495,898

Applicant(s)

STAMBAUGH, ROD

Examiner

Cristina O Sherr

Art Unit

3621

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-8,10,12,14-24 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-8,10,12,14-24 and 26-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to Applicant's Amendment filed 28 July 2003. Claims 1-4, 6-8, 10, 12, 14-24, and 26-35 are pending in this action.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 14, 17, 30, 31 and 35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-8, 10, 12 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer (US 6,286,099B1) in view of Stein et al (US 6,246,996B1).
4. Regarding claim 1 –
- Kramer discloses a method of transaction processing, comprising: a transaction terminal accessing a communications network and sending first transaction information for a transaction across the communications network, the first transaction information comprising an account number and a transaction amount; receiving and processing the first transaction information at a server communicating with the communications network; storing at least a portion of the first transaction information, wherein the stored transaction information is accessible via the Internet; and the server sending second

transaction information based on the first transaction information to a transaction processor (col 2 ln 61 – col 3 ln 10).

5. Regarding claim 2 –

Kramer discloses the method of Claim 1, wherein the stored transaction information is accessible via the Internet substantially in real-time (col 2 ln 65-66).

6. Regarding claim 3 -

Kramer discloses the method of Claim 1, wherein the transaction terminal wirelessly accesses the communications network (col 4 ln 18-25).

7. Regarding claim 4 –

Kramer discloses the method of Claim 1, wherein the server controls information stored on the transaction terminal (col 5 ln 36 – 61).

8. Regarding claim 6 –

Kramer discloses the method of Claim 1, wherein the first transaction information is transported to the server using a first protocol, and the second transaction information is transported to the transaction processor using a second different protocol (col 5 ln 55-62).

9. Regarding claim 7 –

Kramer discloses the method of Claim 6, wherein the first protocol has lower overhead than the second protocol (col 9 ln 12-48).

10. Regarding claim 8 –

Kramer discloses the method of Claim 1, wherein the first transaction information is in a first format, and the second transaction information is in a second different format, and

Art Unit: 3621

wherein the method further comprises the server reformatting the first transaction information from the first format to the second transaction information in the second format (col 9 ln 12-48).

11. Regarding claim 10 –

Kramer discloses the method of Claim I, wherein the server accesses information about the transaction terminal to use for reformatting the first transaction information from the first format to the second transaction information in the second format (col 9 ln 35-48).

12. Regarding claim 12 –

Stein discloses the method of Claim 1, further comprising generating a report of transaction information from one or more transactions conducted on the transaction terminal, wherein the report is accessible via the Internet (col 5 ln 1-10).

13. Regarding claim 27 –

Kramer discloses the method according to claim 1, further comprising the server receiving transaction approval information from the transaction processor and then forwarding all or a portion of the transaction approval information to the transaction terminal (col 3 ln 5-1).

14. Regarding claim 28 –

Stein discloses the method according to claim 27, wherein the approval information comprises at least one of: a credit approval, a credit denial, an approval code, a reference code, credit account information and an amount for the transaction (fig. 4).

15. It would be obvious to a practitioner of ordinary skill in the art to combine the teachings of Kramer and Stein in order to obtain greater security in remote transactions for both vendor and buyer.

16. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer (US 6,286,099B1) in view of Pare, Jr. et al (US 5,870,723A) further in view of Katseff et al (US 6,075,796).

17. Regarding claim 14 –

Kramer discloses a method for transaction processing comprising: a server receiving an action from a customer communicating with the server via the Internet, the action for application on a transaction terminal in communication with the server; and the server communicating the action to the transaction terminal to apply the action thereto (col 2 In 61 – col 3 In 10).

18. Regarding claim 15 –

Pare discloses the method of claim 14, wherein the desired action is terminal activation or deactivation (e.g. col 42 In 6-14).

19. Regarding claim 16 –

Pare discloses the method of Claim 14, wherein the desired action is terminal diagnostics (e.g. col 42 In 6-14).

20. Regarding claim 29 –

Katseff discloses the method according to claim 14, wherein the desired action is changing information stored on the transaction terminal (e.g., col. 1, lines 8-13; col. 2, lines 19-56; and col. 6).

Art Unit: 3621

21. It would be obvious to a practitioner of ordinary skill in the art to combine the teachings of Kramer, Pare and Katseff in order to obtain greater security in remote transactions for both vendor and buyer.

22. Claims 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer (US 6,286,099B1) in view of Pare, Jr. et al (US 5,870,723A) further in view of Katseff et al (US 6,075,796).

23. Regarding claim 17 –

Kramer discloses a transaction processing network, comprising: a server; a first network segment linking one or more transaction terminals to the server, wherein all or a portion of transaction information received from each transaction conducted on each of one or more transaction terminals is stored and made accessible via the Internet; and a second network segment linking the server to one or more further destinations, wherein at least one of the further destinations comprise a transaction processor for obtaining transaction approvals (col 2 ln 61 – col 3 ln 10).

24. Regarding claim 18 –

Pare discloses the apparatus of Claim 17, wherein the stored transaction information is accessible substantially in real-time (e.g., col. 37, line 15).

25. Regarding claim 19 –

Pare discloses the apparatus of Claim 17, wherein one or more of the transaction terminals comprises a wireless data communications device (e.g., col. 14, lines 6-9).

26. Regarding claim 20 –

Pare discloses the apparatus of Claim 17, wherein the server controls the operation of one or more of the transaction terminals (col. 58, line 30 Pare discloses "DPC-RPT <Transaction Response Message>". Thus, RPT inherently would have an output device to show the message to the user).

27. Regarding claim 21 –

Pare discloses the apparatus of Claim 20, wherein the operation comprises deactivation or activation of the transaction terminal (col. 58, line 30).

28. Regarding claim 22 –

Katseff discloses the apparatus of Claim 17, wherein transaction information comprises first transaction information which is transported across the first network segment using a first protocol, and wherein second transaction information based on the first transaction information is transported across the second network segment using a second different protocol (e.g., col. 1, lines 8-13; col. 2, lines 19-56; and col. 6).

29. Regarding claim 23 –

Katseff discloses the apparatus of Claim 22, wherein the first protocol has lower overhead than the second protocol (e.g., col. 1, lines 8-13; col. 2, lines 19-56; and col. 6).

30. Regarding claim 24 –

Katseff discloses the apparatus of Claim 22, wherein the first transaction information is in a first format, and the second transaction information is in a second different format, and wherein the server reformats the first transaction information from the first format to

the second transaction information in a second format (e.g., col. 1, lines 8-13; col. 2, lines 19-56; and col. 6).

31. Regarding claim 26 –

Katseff discloses the apparatus of Claim 24, wherein the server accesses information about a transaction terminal which forwarded first transaction information to reformat the first transaction information from the first format to the second transaction information in the second format (e.g., col. 1, lines 8-13; col. 2, lines 19-56; and col. 6).

32. It would be obvious to a practitioner of ordinary skill in the art to combine the teachings of Kramer, Pare and Katseff in order to obtain greater security in remote transactions for both vendor and buyer.

33. Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer (US 6,286,099B1) in view of Katseff et al (US 6,075,796).

34. Regarding claim 31 –

Kramer discloses a method of transaction processing, comprising: receiving first transaction information for a pending transaction at a server from a transaction terminal, wherein the first transaction information comprises an account number and an amount for the transaction; processing the first transaction information at the first server; storing at least a portion of the first transaction information, wherein the stored transaction information is accessible via the Internet; and sending second transaction information based on the first transaction data to a transaction processor for obtaining approval information for the transaction; receiving the approval information from the transaction

Art Unit: 3621

processor; forwarding all or a portion of the approval information to the transaction terminal via the first server (col 2 ln 61 – col 3 ln 10).

35. Regarding claims 32-34 –

Katseff discloses the method of Claim 31, wherein the first server controls the transaction terminal; wherein control of the transaction terminal comprises changing information stored on the transaction terminal used to operate the transaction terminal; and wherein changing information on the transaction terminal comprises sending menu information from the server to the transaction terminal where it is parsed and stored thereon (e.g., col. 1, lines 8-13; col. 2, lines 19-56; and col. 6).

36. It would have been obvious to one of ordinary skill in the art to modify the method of Kramer by adopting the teaching of Katseff "to minimize latency and to improve efficiency and quality of packet transmission" for the claimed method.

Claim Rejections - 35 USC § 102

37. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

38. Claim 30 is rejected under 35 U.S.C. 102(e) as being anticipated by Kramer (US 6,286,099B1).

39. Kramer discloses a system for tracking transactions comprising: a first server for receiving and processing first transaction information received from a transaction terminal, the first transaction information comprising an account number and a transaction amount; a database for storing at least a portion of the first transaction information, wherein the stored transaction information is accessible via the Internet; and a second server for obtaining transaction approval information for the transaction, wherein the second server receives second transaction information from the first server, the second transaction information being based on the first transaction information, the first server receives the transaction approval information from the second server and forwards all or a portion of the transaction approval information to the transaction terminal information to the transaction terminal via the first server (col 2 ln 61 – col 3 ln 10).

40. Claim 35 is rejected under 35 U.S.C. 102(e) as being anticipated by Kramer (US 6,286,099B1).

Kramer discloses a server for transaction processing, comprising: a processor for receiving and processing first transaction information for a pending transaction from a transaction terminal, wherein the transaction information comprises an account number and an amount for the transaction; communication means for: sending second transaction information based on the first transaction data to a transaction processor for obtaining approval information for the pending transaction; receiving the approval information from the transaction processor; and forwarding all or a portion of the approval information to the transaction terminal via the first server; wherein the server

accesses a memory for storing the first transaction information and wherein the stored transaction information is accessible via the Internet (col 2 ln 61 – col 3 ln 10).

41. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

43. Reber et al. (US PAT. 5,903,767) disclose transaction methods, system, and devices using a first and second data.

44. Kolling et al (US PAT. 5,920,847) discloses electronic bill payment system using PC, telephone keypad, screen telephone or PDA.

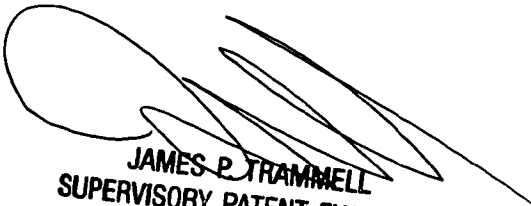
45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

46. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

47. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/495,898
Art Unit: 3621

Page 13



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